ORIGINAL

Federal Trade Commission: 16 CFR Part 453

Aug. 18, 1999

Good information on which to constitution an uncontroled and abused Funeral Service.

1. Policy

2. Letters to the Editor, Funeral Home, Copy of check they accepted under protest, Banker's Information on \$300.00 invested for 54 years could well have covered \$8,000,00 funeral Service with a profit. E.J. Ourso kept It ALL.

I tried my best to a lent policy hulder's by T.V., Redio and to the Edidor, to help lessen the Funeral Home shock I received when my lovely wife died. "Death and Texes"

how true,

Loss of a Loved One" is terrible enough, We need your Help. You have my opinion on

actual experience. Elmit June

PSI have 4 more family Policies my own and 3 dzughters

Elmer Feldheim 435 Homesterd Ave Metairie, La. 70005-3207 (504) 837-2167

Please Keep me advised.

Josed in deny? collect of Agroce. Tharp-Southeimer (A STOCK COMPANY INCORPORATED UNDER THE LAWS OF THE STATE OF LOUISIANA) NEW ORLEANS, LA. In CONSIDERATION of the application for this Policy, which is hereby referred to and made a part of this contract, and in further consideration of the payment on or before the date hereof of the premium stated in schedule below, and of a like weekly premium to be paid on or before each and every Monday in advance thereafter, until twenty (20) full years' premiums shall have been paid, or until the prior death of the Insured, named in Schedule below.

Tharp-Southeimer Life Insurance Company

e fo (Hereinafter called the Company) enied Mable

(Hereinafter called the Company)

immediately upon receipt of due proof of the death of the Insured while this Policy is in full force and effect, agrees to conduct and furnish a funeral service for the said Insured, as follows:

- (1) Embossed Grey Tharson or Plain Grey Analea Cloth Covered Casket, outside box, adult burial garment, funeral car, three limousines, transferring remains, flower car, velvet drape or palm decorations (when available), door badge, veiling, candles or vigil lights, embalming, bathing, dressing, shaving, burial permit, two local press notices and acknowledgment cards; all to be furnished by the Company's Official Funeral Director.
- (2) Or \$300.00 allowance on any other more expensive funeral service selected, provided the Company's Official Funeral Director conducts the funeral service. This allowance shall not be in addition to the funeral service described in No. 1 above, but in lieu thereof.
- (3) Or should death and interment occur at a point where it is impractical for the Company to furnish a funeral, as the result of a change of domicile on the part of the Insured, the funeral benefit as provided herein will be paid in cash subject to the other provisions of this policy.

BENEFICIARY RELATIONSHIP MAME OF INSURED Elmer C. Feldheim Husband Liberty L. Feldheim INSURED'S AGE NEXT BIRTHDAY THE DATE OF THIS POLICY IS FUNERAL BENEFIT WEEKLY PREMIUM NUMBER OF POLICY

\$300.00 June 8, 1942 107620 24 .18 This Policy is issued and accepted subject to the Stipulations and Conditions contained herein, each and all of which are hereby made a part of this contract. The liability of this Company for Funeral Benefits as specified in this Policy shall exist only in the Parishes of Orleans, Jefferson and St. Bernard, Louisiana, except as herein otherwise provided.

OPTIONAL CASH SETTLEMENT—(1) If, prior to the expiration of one year from the date of this Policy, and while this Policy is in full force and effect, and while there is no default in the payment of premiums, a Funeral Director other than the Official Funeral Director of this Company in the Parishes of Orleans, Jefferson and St. Bernard, La., be selected by the Insured, beneficiary, or any other claimant entitled to the benefits hereof under the Facility of Payment Clause to conduct the Funeral of the Insured, the Company on receipt of due proof of the death of the Insured, upon forms furnished by the Company and the surrender of this Policy, and in lieu of all other benefits under this Policy, will refund all premiums paid hereon.

(2) If, after the expiration of one year from the date of this Policy, and while this Policy is in full force and effect, and while there is no default in the payment of premiums, a Funeral Director other than the Official Funeral Director of this Company, in the Parishes of Orleans, efferson and St. Barnard. La., be selected by the Insured, beneficiary, or any other claimant entitled to the benefits hereof under the Facility of Payment Clause to conduct the Funeral of the Insured, an optional cash settlement of Fifty per cent (50%) of the Funeral Benefit, as set forth in the above schedule, in lieu of all other benefits under this policy, will be paid on receipt of due proof of the death of the Insured, upon forms furnished by the Company and the surrender of this Policy.

DISABILITY PROVISION—Upon receipt of satisfactory proof that the insured, after attaining 15 years of age and prior to attaining 50 years of age, has sustained bodily injury, solely through external, violent and accidental means, occurring after the date of this Policy, while this Policy is in full force and effect, and while there is no default in the payment of premiums, resulting in the total and permanent loss of the sight of both eyes, or of the loss of both hands, or of both feet, or of one hand and one foot (suicide or attempted suicide, sane or insane, excepted), the Company will endorse this Policy as being fully paid up for the amount of Funeral Benefit, as provided herein, and thereafter no further premium payments shall be required hereon.

At any time after the expiration of three full years' from the date of this policy and upon receipt by the Company of due proof on forms, which will be furnished by the Company on request, that the insured has, after attaining 15 years of age and prior to attaining 50 years of age, while this Policy is in full force and effect, become totally and permanently disabled, as the result of bodily injury or disease occurring and originating after the issuance of this Policy, (suicide or attempted suicide, sane or insane, excepted) so as to be prevented thereby from engaging in any occupation and performing any work for compensation or profit, and that such disability has already continued uninterruptedly for a period of at least six months, the Company will, during the further continuance of such disability, waive the payment of premiums on this Policy.

Notwithstanding that proof of disability may have been accepted by the Company as satisfactory, the Insured shall at any time, on demand from the Company, furnish due proof of the continuance of such disability, but after such disability shall have continued for two full years the Company will not demand such proof more often than once in each subsequent year. If the Insured shall fall to furnish such proof, or if the Insured shall be perform any work or engage in any occupation whatsoever for compensation or profit, all premiums thereafter falling due shall be payable according to the terms of this Policy. Any premiums so waived shall not be a lien on this Policy and the guaranteed values set out in the tables harein shall increase in the same manner as if the premiums had been paid by the Insured.

IN WITNESS WHEREOF, the said Company has caused this Policy to be signed by its President and Secretary, but the same shall not be effective until properly dated and countersigned by a duly authorized Official of the Company.

Dated at New Orleans, La., on the day, month and year shown in Schedule (above).

16. Tontheir

Countersigned-

20-PL Fill ret of what

NOVEMBER 25, 1996

LETTERS TO THE EDITOR 3800 HOWARD AVENUE NEW ORLEANS, LA. 70140

I AM ATTACHING DOCUMENTS IN SUPPORT OF MY LETTER TO THE EDITOR'S OPINION COLUMN:

- L. FUNERAL SERVICE POLICY NO. 107620 dated June 8,1942. WE ACCEPTED THE FULL FUNERAL SERVICES OF PARAGRAPH (1) DONATING THE SUBSTITUTED CASKET, REPLACING IT AND PAYING FOR A HIGHLY PROFITABLE \$3,595.00 CASKET. MR. SONTHEIMER REFUSED US THE FUNERAL SERVICES CONTAINED IN OUR POLICY.
- 2. COPY OF CONTRACT NO.00038 AND ITEMIZED STATEMENT TOTALING \$8,436.84, TO WHICH THEY ADDED CHAPEL CHARGES FOR FUNERAL CEREMONY.
- 3. COPY OF MY CHECK COMPLETE WITH MY PROTEST STATEMENT, WHICH THEY ACCEPTED \$7,916.84 AS BALANCE DUE.
- 4. COPY OF MY LETTER TO 1600 N.CAUSEWAY WAS TO COMPLIMENT MR. GARY THE MAKE UP ARTIST, AND COMMENT ON THE PERSONNEL WHO PERFORMED THEIR DUTIES WELL, SERVING US FOR AN OVERLY EXPENSIVE FUNERAL COSTING OVER \$8,000.00. IT WAS NOT FOR THE FUNERAL COMPANIES' C.E.O. OR MR. E.J.OURSO'S SECURITY IND. INS. CO.
- 5. COPY OF THE ARTICLE PUBLISHED AUGUST 17, 1996, STATING THAT OURSO!S 5/ A WEEK BURIAL POLICIES CONPOUNDED ASSETS WERE SOLD FOR \$180,000,000.00.
- 6. MY LOVELY WIFE DIED AT 11:15 A.M. ON APRIL 15, 1996 AND TAKEN TO THE FUNERAL HOME THAT AFTERNOON. DUE TO A MEETING OF THE FUNERAL DIRECTORS, THEY WOULD NOT SEE US UNTIL APRIL 16, 1996 TO PRESENT OUR POLICY AND COMPLETE THE FUNERAL ARRANGEMENTS.

THE GREAT LOSS OF A LOVED ONE SHOULD NOT BE PRESENTED WITH THIS TYPE OF PROBLEM IN TRYING TO ARRANGE FOR WHAT WE THOUGHT WAS PRE-ARRANGED DECENT BURIAL. THIS APOLOGY IN BEHALF OF MY DAD MAY HELP HIS POLICY HOLDERS AVOID UNETHICAL PRACTICE OF VOIDING THEIR POLICIES FUNERAL SERVICES BY OFFERING A FLIMSY CASKET THEY KNOW IS UNACCEPTABLE.

PLEASE GIVE YOUR READERS THE BENEFIT OF THE INFORMATION CONTAINED IN MY LETTER OF APOLOGY, ON THE BASIS OF THE NEED TO KNOW.

YOURS TRULY

ELMER FELDHEIM

Elmer Jas

435 HOMESTEAD AVE., METAIRIE, LA. 70005

(504) 837-2167

August 18

Mr. Feldheim:

I saw you on TV last night and calculated the following information concerning your insurance policy and what the company made on your premium:

\$300.00 invested for 54 years* (compounded quarterly) at the following interest rates would equal:

$$7\% = $12,722.00$$

Looks like they could easily afford to pay the entire funeral expenses!

Good luck with your suit!

M. Jesse Shannon

This was my intended message, thanks.

I Think we covered most of it. [].

STEPHANIE I HAD THE BIGEST SHOCK OF MY LIFE WHEN

MY LOVELY WIFE OF 58 YEARS DIED UNEXPECTEDLY ON APRIL 15, 1996. THEN I COULD NOT MAKE FUNERAL ARRANGEMENTS WITH "THARP SONTHEIMER'S FUNERAL DIRECTOR, BECAUSE THEY WERE HAVING A METING OF FUNERAL DIRECTORS.

THE NEXT DAY WE HAD ANOTHER SHOCK. THEY WOULD NOT HONOR THE FUNERAL SERVICES OF OUR 1942 PAID UP BURIAL POLICY IF WE DID NOT ACCEPT THEIR SUBSTITUTED COFFIN OR THE CHEAP CASKET HIDDEN BEHIND A CURTAIN ADJOINING THE BEAUTIFUL CASKETS DISPLAY ROOM. I EVEN OFFERED TO DONATE THEIR SUBSTITUTED CASKET TO CHARITY AND PAY THEIR FULL PRICE FOR A CASKET MY DAUGHTERS AND I HAD CHOSEN AS A FITTING LAST TRIBUTE TO MY LOVELY WIFE AND THEY EVEN DENIED OUR OFFER VOIDING THE PRE*ARRANGED FUNERAL THEIR WONDERFUL MOTHER. SERVICES LISTED IN MY THARP SONTHEIMER BURIAL INSURANCE POLICY. THEN THEY BROKE THEIR HEART AND GAVE ME A DISCOUNT AND A \$300.00 CREDIT ON MY POLICY AND REQUIRED THAT I PAY THE \$7,916.84 BALANCE BEFORE THE BURIAL. THIS SHOULDN'T HAPPEN TO ANYONE SUFFERING THE LOSS OF THEIR LOVED ONE, ESPECIALLY THOSE WHO STRUGGLED TO PAY FOR THEIR PRE-ARRANGED BURIAL SERVICES. THEIR SHOULD BE FAIR TRADE LAWS TO PREVENT THESE TACTICS BY BUSINESSES SERVING THE SUREST BUSINESS IN THE WORLD, THE FINALE RIGHTS AT THE DEATH OF US ALL. SINCE MY FAMILY HAVE MANY MORE OF THESE POLICIES AND THERE ARE THOUSANDS OF ELDERLY FOLKS OUT THERE IN T. V. LAND WHO HAVE SIMILAR POLICIES. I HAVE INSTITUTED A CLASS ACTION SUIT THAT THEY MAY JOIN AND HELP CORRECT THIS INJUSTICE AT A TIME OF A GREAT LOSS OF A LOVED FAMILY MEMBER. GOD SPEED TOWARD GOOD RESULTS IN THIS ENDEAVOR.



JULY 22, 1997

KURT DAVIS, NEWS DIRECTOR W D S U CHANNEL SIX 8L6 HOWARD AVENUE NEW ORLEANS, LA. 70113

DEAR KURT:

SIX ON YOUR SIDE IS A GREAT SERVICE FOR THE LITTLE PEOPLE WHO ARE POWERLESS AGAINST POWERFUL UNETHICAL BUSINESS PRACTICES.

I WISH TO THANK YOU FOR THE PROFESSIONAL, FAIR AND MEANINGFUL HELP OF STEPHANIE BOSWELL, REPORTER/ANCHOR OF SIX ON YOUR SIDE AND BILLY SEXTON, PHOTOGRAPHER, IN PRESENTING MY BURIAL POLICY PROBLEM TO THOUSANDS OF YOUR VIEWERS WHO HAVE HAD SIMILAR PROBLEMS WITH FUNERAL DIRECTORS VOIDING THEIR PRE-ARRANGED FUNERAL SERVICE POLICY BY FORCING ACCEPTANCE OF THEIR LOWEST GRADE CASKET HIDDEN BEHIND THEIR CURTAIN NEXT TO THEIR BEAUTIFUL CASKET DISPLAY ROOM. THEY USE THIS METHOD AT A TIME WHEN THE FAMILY MEMBERS ARE SUFFERING THE LOSS OF THEIR LOVED ONE AND WHEN THEY ARE PRONE TO CHOOSE AN UPGRADED CASKET FOR A DECENT BURIAL.

I AM GRATEFUL TO CHANNEL SIX IN HELPING US AND THOUSANDS OF OTHERS WHO HAVE BEEN VICTIMS OF WHAT IN MY OPINION IS AN INTENDED FRAUD, USING BEREAVEMENT OF THE FAMILY FOR A PROFIT ON A SURE NEED AT DEATH. AS IN TAXES.

STEPHANIE WAS GREAT AT PUTTING US AT EASE AND BILLY SET UP HIS EQUIPMENT AND RECORDED OUR PRESENTATION WITH STUDIO RESULTS. THEY EARNED OUR PRAISE AND ARE AN ASSET TO CHANNEL SIX, PERFORMING AN EXCLUSIVE SERVICE FOR WDSU VIEWERS.

SINCERELY

ELMER FELDHEIM AND BAUGHTERS

435 HOMESTEAD AVENUE

METAIRIE, IA. 70005-3207

(504) 837-2167

copies to;



LETTER TO THE EDITOR 3800 HOWARD AVENUE NEW ORLEANS, IA. 70140

POSTMORTEM APOLOGY TO HOLDERS OF THARP SON THEIMER FUNERAL POLICIES

I APOLOGIES IN BEHALF OF MY DAD WHO SOLD ME AND THOUSANDS OF OTHERS, FULL FUNERAL SERVICE POLICIES IN GOOD CONSCIENCE, CONFIDENT THAT THARP SONTHEIMER AND DELTA LIFE INSURANCE COMPANIES WOULD HONOR THEIR CONTRACT. MR. STEVE SONTHEIMER, C.E.O. WOULD NOT HONOR MY POLICY ON A TECHNICALITY, EVEN THOUGH MY 1912 POLICY WAS PAID FOR WITH FULL VALUED DOLLARS AND PAID UP IN 1962 GIVING 314 YEARS OF COMPOUNDED INVESTMENT VALUE OF OVER \$8,000.00. HIS BEST AND FIRM OFFER WAS A CREDIT OF \$300.00. HE VOIDED MY FULL BURLAL SERVICE POLICY BECAUSE OUR FAMILY WOULD NOT ACCEPT A FLIMSY CASKET COVERED IN CHEAP MATERIAL, TO BURY MY LOVELY WIFE AND THEIR MOTHER IN. WE EVEN OFFERED TO DONATE THEIR SUBSTITUTED CASKET AND PAY FULL PRICE FOR AN UP-GRADED ONE, BUT WAS REFUSED. MY LOVELY WIFE DIED AT 11.15 A.M. ON APRIL 15,1996 AND TAKEN TO THE FUNERAL HOME THAT AFTERNOON. DUE TO A MEETING OF THE FUNERAL DIRECTORS ON THAT DATE, THEY WOULD NOT SEE US UNTIL APRIL 16, 1996 TO PRESENT OUR POLICY AND COMPLETE THE FUNERAL ARRANGEMENTS. THIS WAS NOT THE FUNERAL SERVICE POLICY MY DAD SOLD, THEREFORE, JUSTIFYING THIS APOLOGY AND CLASS ACTION TO CORRECT.

AN ARTICLE PUBLISHED AUGUST 17, 1996 INDICATING THAT MR. E.J.OURSO, OWNER OF SECURITY IND. INS. CO. (WHO OBTAINED THESE POLICIES) SOLD THE ASSETS OF THE WEEKLY PAYMENTS ON BURIAL INSURANCE FOR \$180,000,000.00 WHILE DENYING POLICY'S FULL COVERAGE, SO SAID MR. SONTHERIMER, WHO OFFERED A MEASLY \$300.00 CREDIT, WHILE HE AND MR. OURSO'S COMPANIES KEPT THE COMPOUNDED INVESTMENT ASSETS.

BURIAL POLICY HOLDERS PLEASE BRING YOUR POLICIES TO YOUR FUNERAL HOME DIRECTOR AND PRE-ARRANGE YOUR BURIAL COVERAGE AND OBTAIN SPECIFIC WRITTEN COMMITMENTS. IF YOU WAIT UNTIL YOUR LOVED ONE DIES, THEY'VE GOT YOU, FORCING YOU TO ACCEPT A MOST UNSUITABLE CASKET OR NULLIFY YOUR POLICY'S FULL FUNERAL SERVICES COVERAGE, KNOWING THAT IN YOUR BEREAVEMENT, MOST WILL SELECT A MORE RESPECTABLE CASKET. OUR COST WAS \$7,916.84 EVEN WITH THE \$300.00 CREDIT. OUR FAMILY HAS 8 MORE SUCH POLICIES.

THE FUNERAL DIRECTORS CONTROL THEMSELVES UNDER THEIR LOUISIANA STATE BOARD OF EMBAIMERS AND FUNERAL DIRECTORS. THE STATE INSURANCE COMMISSIONER, AND THE FEDERAL FAIR TRADE COMMISSION DO NOT HAVE JUHISDICTION OVER THEM. SIXTY MINUTES, PRIME TIME OR DATELINE HAVE EXPOSED THEIR UNETHICAL PRACTICES. WHERE ARE THE TOP NOTCH CLASS ACTION LAWYERS? A MAJOR CLASS ACTION SUIT IS DUE TO CORRECT THIS BURIAL SERVICE INJUSTICE, IN THIS THE FINAL ACT FOR MOST HUMANS.

YOURS TRULY

ELMER FELDHEIM AND DAUGHTERS

435 HOMESTEAD AVENUE

Elmer) Me

METAIRIE, LOUISIANA 70005-3207

(504) 837,2167

TAKE AND DELLE TO THE TILL A THE WAR SPECIALINA & MEYO & SAA AN CHALLE ...

David C. Rogers, Manager Funeral Director Tharp-Sontheimer Tharp Funeral Home 1600 N. Causeway Metairie, La.

Dear Mr. Rogers:

The Funeral Service for Mrs. Liberty Feldheim, April 16 & 17, 1996 by Tharp-Sontheimer, Tharp, 1600 N. Causeway, was professionally performed, especially Gary, the make-up artist who brought Mrs. Feldheim from a bruised and swollen face and hands, to the beautiful lady she is to Family and Friends. His artistic skill was the most up-lifting for all.

The personnel at 1600 N. Causeway were most considerate and cooperative in meeting the wishes of the family.

Sincerely in appreciation,

Elmer Feldheim and Daughters

THIS' LETTER WAS TO COMPLIMENT MR. GARY THE MAKE-UP ARTIST, AND COMMENT ON THE PERSONNEL WHO PERFORMED THEIR DUTIES WELL, SERVING US FOR AN OVERLY EXPENSIVE FUNERAL COSING OVER \$8,000.00. IT WAS NOT FOR THE FUNERAL COMPANIES' C.E.O. OR MR. E.J.OURSO' SECURITY IND. INS. CO.

See Copy of my check in profest excepted and Eller cashed by Funeral Home,

Contract No. 10038 payment in full efter receiving a mere \$300.00 credit on my 300.00 Burial Policy for a complete Funeral Service including a Dead return of a cover and casket, if not used, cancels the entire 2063 reprise the fillenge of the #300.00 without consideration for inflation to rever the following return of the purpose of the Policy. An Updating inflationary clause is due projected to legitimize the sale of BURAL policies to legitimize the sale of BURAL policies to legitimize the sale of BURAL pr. 16 1996

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300.00 Burial Policy for a complete Funeral Service including a Dead
300.00 Burial Policy for a complete Funeral Service including a Dead
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PAY TO
THE ORDER OF There Southerner-There Tuneral Home

Seven Thousand Prince Aundred Sixteen and \$100

WHITNEY NATIONAL BANK Full exceptance of the funeral Service govered in our
New Orleans. Louisiana Burial Service policy including the designated Castet and Donating
14 to charity and paying regular Price for a more
fitting casket, WAS DENTED.

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My we fraillen this of solution

His promise was not fulfilled.

\$300.00 real dollars in 1942 compounded into many thousands of dollars of assets by his own assessment. headed ideas of the men who can.

Master salesman shares his fortune

ike many megamillionaires, E.J. Ourso started out with an implausible idea. His was nickel-a-week burial insurance, which offered affordable peace of mind to less-affluent families.

Half a century later, those nickels added up to \$180 million when Ourso sold off his cemeteries, funeral homes and his security plan empire.

Ourso is now sharing \$15 million of those profits with LSU's College of Business Administration, which will soon bear his name.

Ourso, who never got his own college degree, isn't buying respectability. He earned that with hard work and an affable business style that won him a reputation as a genuinely nice guy.

Besides, Ourso has earned some pretty significant higher education credentials. He has lectured frequently at Harvard, which apparently thinks he has a lot to teach its students.

LSU's business students could hardly find a better role model than the self-effacing master salesman from Donaldsonville.

LSU is lucky to have, not just his money, but his influence on a generation that needs to be reminded that nice guys sometimes finish first.



State of Louisiana

OFFICE OF THE GOVERNOR

Baton Rouge

70804-9004

POST OFFICE BOX 94004 (504) 342-7015

April 8, 1997

Mr. Elmer Feldheim 435 Homestead Avenue Metairie, LA 70005-3207

Dear Mr. Feldheim:

It is a pleasure, as always, to hear from a concerned citizen like yourself. I read with interest your letter of March 28 and do indeed lend my support for legislation that will, as you say "put teeth", into the prevention of abuse and potentially fraudulent practices relative to funeral policies and burial insurers.

र्वा भूतिक र भारती कालनामा क्षेत्र<mark>मा महामाहत साम्रिक्ता</mark>क अन्तिक ता प्राप्ति हो स

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Thank you for your interest and taking the time to write.

With kind regards, I am

Sincerely

M.J. "Mike" Foster, Jr.

jsb/ss



SENATE STATE OF LOUISIANA

"Serving the Citizens of the North and South Shores"

JOHN J. HAINKEL, JR.

State Senator District 6 Tangipahoa St. Tammany Orleans Jefferson

April 16, 1997

6069 Magazine Street New Orleans, LA 70118 (504) 899-5506

110 N. Oak Street Hammond, LA 70401 (504) 543-4990

COMMITTEES

Senate Finance, Chairman Joint Legislative Committee on the Budget, Chairman Insurance Judiciary A Labor & Industrial Relations

Mr. Elmer Feldheim 435 Homestead Avenue Metairie, Louisiana 70005-3207

Dear Mr. Feldheim:

Thank you kindly for your letter and packet of recent date. I have been in touch with constituents concerning similar tragic situations regarding funeral and burial policy problems. I have personally discussed this matter with Representative Ansardi and I intend to try my best to assist him with this legislation to take corrective action so that individuals get what they pay for when they buy burial policies. Thank you for writing.

Sincerely,

John J. Hainkel, Jr.

JJH,JR.:csm